

REMARKS

This application has been reviewed in light of the Office Action dated August 20, 2008. Claims 9-16 are pending. Claims 9, 12, 13, 15 and 16 have been amended to define Applicants' invention more clearly. Claims 9 and 13 are in independent form. Favorable reconsideration is requested.

After entry of the Request for Continued Examination (RCE) Transmittal and Amendment After Final Action filed herewith to withdraw the finality of the previous Office Action, Applicants request a telephonic interview with the Examiner. One of Applicants' attorneys will contact the Examiner shortly to arrange a mutually convenient time for such an interview.

Claims 9, 12, and 16 were rejected under 35 U.S.C. § 112, first paragraph, as not supported by the specification, as filed. (It is assumed that rejection was intended to apply to Claim 9, not to canceled Claim 1.) In particular, the Office Action deems the term "management unit" not to be supported. Without agreeing that the rejection is correct, Applicants have nonetheless eliminated this term from the claims. The new language used instead has antecedent basis in the specification as filed, at least line 12, page 18, through line 17, page 19. It is believed that the rejections under Section 112, first paragraph, have been obviated, and their withdrawal is therefore respectfully requested.

Claims 9-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patents 6,774,951 (*Narushima*) in view of 5,842,023 (*Tsumura*). Applicants submit that independent Claims 9 and 13, together with the claims dependent therefrom, are patentably distinct from the cited references for at least the following reasons.

Claim 9 is directed to a data broadcasting receiving and reproducing apparatus including a receiving unit, a data obtaining unit, a storing unit, a setting information obtaining unit, and a converting unit. The receiving unit is configured to receive a digital broadcasting wave transmitted from a broadcasting station. The data obtaining unit can obtain data broadcasting data including displayable content data and text data including print permission/inhibition information of the content data. The print permission/inhibition information indicates a set value for permission or inhibition of printing the content data. The storing unit can store the data broadcasting data obtained by the data obtaining unit. The setting information obtaining unit can obtain, from the text data stored in the data storing unit, the print permission/inhibition information of the content data. The converting unit can convert the set value indicated by the print permission/inhibition information obtained by the data obtaining unit from one permitting the printing the content data into one inhibiting the printing the content data, or from one inhibiting the printing the content data into one permitting the printing the content data. The converting unit converts the set value indicated by the print permission/inhibition information corresponding to the content data obtained by the data obtaining unit and stored in the data storing unit, based on a command information included in the digital broadcasting wave.

Among other features of the apparatus of Claim 9 are the data obtaining unit and the converting unit. By virtue of the data obtaining unit data broadcasting data is obtained that includes displayable content data and text data. The text data includes print permission/inhibition information of the content data. The print permission/inhibition

information indicates a set value for permission/inhibition of printing the content data. By virtue of the converting unit, the set value can be converted based on a command information included in the digital broadcasting wave. The set value can be converted from one permitting the printing of the content data into one inhibiting the printing of the content data, or vice versa.

Narushima, as understood by Applicants, relates to a structure for printing content information included in a digital broadcast distribution, the content information being converted by a contents information converter into a form suitable for printing. However, nothing has been found in *Narushima* that is believed to teach or suggest anything corresponding to the “print permission/inhibition information” included in data broadcasting data that “indicates a set value for permission or inhibition of printing the content data” recited in Claim 9, much less the data obtaining unit and the converting unit.

Moreover, nothing has been found in *Tsumura* that is believed to teach or suggest the data obtaining unit and the converting unit of Claim 9. *Tsumura* relates to an information service processor that supplies copyrighted multimedia digital information to a user via a broadcast communication network. As understood by Applicants, *Tsumura* does not teach or suggest any structure for converting print permission/inhibition information included in data broadcasting data, much less one that can convert such information based on command information transmitted from a broadcasting station, as is claimed in Claim 9.

Accordingly, Applicants submit that Claim 9 is patentable over *Narushima* and *Tsumura*, taken separately or in any possible combination.

Independent Claim 13 is a method claim corresponding to apparatus Claim 9, and is also believed to be patentable for at least the reasons discussed above.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application depend from one or the other of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable consideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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